

Neubak Dec 6 1856

My dear Brother:

You are certainly the most indulgent client I ever saw, for you do not harass your lawyer with letters or constant inquiries about the progress of the suits. I have been so driven with work in the Office during the autumn that I could not do much about Dr. Grisebach's suit against Vanderbilt: the truth being, as Mr. Owen says, that he and I do the principal part of the work in the Office.

But upon inquiring of Mr. Rolker & others <sup>as to</sup> who would be a proper person for Commissioner at Gottingen, he & they knew of no one, and very strongly advised me not to send it to any one at Gottingen whom ~~it~~ ~~I~~ was not known to be a good lawyer and also acquainted with the English language, but to send it to the Consul at Bremen: as otherwise I would have to do as Rolker did, send the Com<sup>n</sup> back for correction.

Last month on commencing proceedings for the Commission Vanderbilt's lawyer said he was disgusted with the agent for not paying, and said if I would give him the lowest amount I could take he would endeavor to get it. I told him I would take the actual price of the contents of the box and my costs, if paid within a week. He said he would get it, but the agent was sick & until



The matter could not be submitted until last Friday. The agent then said that unless some definite news was received concerning the box by the next steamer from the person on board who was charged to make inquiries at each port, he would pay the amount - that steamer will be in this week or early next week. I did not give any definite reply, but that I would write to you. In my offer I stated the amounts as follows

1000 Cuban	\$ 100.00
452 Venezuelan	45.20
Books	7.50
Freight & expenses at New York.	2.75
	\$ 155.45

If there was no fault on the part of Frueke & Co (who used to be the consignees of the vessel & quarrelled with Vanderbilt) we can recover all but the books & freight surely, and the books too if we can prove the value &c; and I am convinced we cannot prove the value <sup>in Europe</sup> to be greater than above stated. So that the only thing I offered to throw off by way of compromise was one year interest (about \$100) and whatever pecuniary damage Dr. <sup>Gilchrist</sup> can swear he has sustained;

The question is, shall I inform them that my offer not having been accepted is withdrawn or shall I receive the above amount which I think is all they will pay now by way of compromise? In answering, please take into consideration the trouble & expense of a Commission, the danger of mistakes by the Commissioners &c, and the chance of a long litigation in which I should have to employ Mr. Allen or some person as counsel, and

pay for it out of the amount recovered, and also what is quite probable that the damages sustained by the plaintiff & which are of such a nature as to be proper subject of a recovery may not equal what the Council would charge for executing the Commission. I believe I can state it more briefly. My object in making the offer (or rather the Attorney asked me to state the value & he would recommend the agent to pay that) was to be able to send to you the amount you originally (in your letter to Hunter) offered to take - I shall get my pay out of Vanderbilt, and for the sake of getting through with the matter I reduced the cost to the very low figure of \$10.

As I said above I have had too much to do for the office & have great reluctance to trying to do anything else. I have so far worked harder than was reasonable, but under the expectation that a change must take place as soon as the condition of the business would allow Mr. Allen to turn Mr. Vose out. I thought of leaving, but Mr. A. sent word to me not to leave for his sake if I could endure it to stay; so I remained - and he took me home to dine -

I have seen the Torrey's but once since they returned to the city; don't know when I shall get up there again.

Please write as soon as practicable: give my love to Jane & say I hope to see Cambridge again next summer.

Yours affectionately  
J. H. Gray